

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

STERLING CONLEY HURT, §  
§  
Plaintiff, §  
§  
V. § No. 3:19-cv-1722-K  
§  
MISSISSIPPI JOHN HURT §  
FOUNDATION, §  
§  
Defendant. §

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND  
RECOMMENDATIONS AND TRANSFERRING CASE**

The United States Magistrate Judge made findings and conclusions in this case, recommending that the Court should *sua sponte* dismiss this action without prejudice under 28 U.S.C. § 1406(a), *see* Dkt. No. 6, and that Plaintiff's motion to transfer this action to the Sherman Division of the Eastern District of Texas should be denied, *see* Dkt. No. 8 (collectively, the "FCRs"). Plaintiff filed objections, and therein moves the Court to transfer his action to Chicago, *see* Dkt. No. 9, which the Court construes as requesting a transfer to the Eastern Division of the Northern District of Illinois, in which Cook County is located, *see* 28 U.S.C. § 93(a)(1).

The District Court reviewed *de novo* those portions of the FCRs to which objection was made and reviewed the remaining portions for plain error. Finding none, the Court **ACCEPTS** both Findings, Conclusions, and Recommendation of the United States Magistrate Judge. Dkt. Nos. 6 & 8.

But, for the reasons explained in the FCRs, because the Eastern Division of the Northern District of Illinois appears to be a proper venue for this action under 28 U.S.C. § 1391(b), the Court also **GRANTS** Plaintiff's motion to transfer this action under 28 U.S.C. §§ 1406(a) and 1631.

SO ORDERED.

Signed August 21<sup>st</sup>, 2019.

Ed Kinkeade  
ED KINKEADE  
UNITED STATES DISTRICT JUDGE